

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

DEBBIE DONOHUE, and all other	)	
similarly situated persons,	)	NO. CV-08-0150-LRS
	)	
Plaintiff,	)	ORDER RE PENDING MOTIONS
	)	
-vs-	)	
	)	
QUICK COLLECT, INC., an Oregon	)	
Corporation, CA 00206,	)	
	)	
Defendant.	)	
	)	
	)	

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Having determined that Plaintiff's Motion to Strike Defendant's Motion for Summary Judgment (Ct. Rec. 25) should be denied based on the record, the Court on December 31, 2008, heard oral argument for counsel for the parties on all remaining motions. Plaintiff Debbie Donohue was represented by Michael Beyer. Defendant Quick Collect, Inc., was represented by Christopher J. Kerley. This Order is entered to supplement and confirm the oral rulings placed of record following the close of oral argument. Finding no question of material fact at issue, the Court concluded that the Complaint for Collection filed in state court against Ms. Donohue by Quick Collect, Inc., accurately set forth the total sum then due and owing from Ms. Donohue to her dentist and was

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1 not false, deceptive or misleading within the meaning of the Fair Debt  
2 Collection Practices Act and more specifically, 25 U.S.C. § 1692e and 25  
3 U.S.C. § 1692f. The Court further concluded that the amount sought in  
4 the state court collection suit giving rise to this action was not  
5 usurious and did not violate the Consumer Protection Act of the State of  
6 Washington as codified in RCW 19.52.020 and RCW 19.16.250 as well as  
7 related provisions of Washington law.

8 Accordingly, it is hereby ordered as follows:

9  
10 1. Plaintiff's Motion to Strike Defendant's Summary Judgment Motion  
11 (Ct. Rec. 25) is **DENIED**;

12 2. Defendant's Motion for Summary Judgment (Ct. Rec. 5) is **GRANTED**;

13 3. Plaintiff's Cross-Motion for Summary Judgment Re: Liability  
14 (Ct. Rec. 14) is **DENIED**;

15 4. Plaintiff's Motion for Class Certification (Ct. Rec. 17) is  
16 **DENIED** as moot.

17 The District Court Executive is hereby directed to enter judgment  
18 in favor of Defendant Quick Collect, Inc., in accord with the foregoing  
19 Order, provide copies to counsel, and **CLOSE THE FILE**.

20  
21 **DATED** this 31<sup>st</sup> day of December, 2008.

22 ***s/Lonny R. Suko***

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24 LONNY R. SUKO  
25 UNITED STATES DISTRICT JUDGE  
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